

ORDINANCE NO. 97-33

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE TEXT OF THE HEALTH AND HUMAN SERVICES AND CAPITAL IMPROVEMENT ELEMENTS (BASED ON THE 1996 PALM BEACH COUNTY COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on February 28, March 14, and March 28, 1997, to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on March 31 and April 2, 1997, to review the recommendations of the



1 Local Planning Agency, whereupon the Board of County Commissioners
2 authorized transmittal of proposed amendments to the Department of
3 Community Affairs for review and comment pursuant to Chapter 163,
4 Part II, Florida Statutes; and

5 **WHEREAS,** Palm Beach County received on July 7, 1997, the
6 Department of Community Affairs "Objections, Recommendations, and
7 Comments Report," dated July 3, 1997, which was the Department's
8 written review of the proposed Comprehensive Plan amendments; and

9 **WHEREAS,** the written comments submitted by the Department of
10 Community Affairs contained no objections to the amendments
11 contained in this ordinance;

12 **WHEREAS,** on August 8, 1997, the written comments submitted by
13 the Department of Community Affairs, and the Planning Division's
14 response to the written comments, were reviewed by the Palm Beach
15 County Local Planning Agency to make recommendations regarding
16 adoption of the Comprehensive Plan amendments; and

17 **WHEREAS,** on September 22, 1997, the Palm Beach County Board of
18 County Commissioners held a public hearing to review the written
19 comments submitted by the Department of Community Affairs and to
20 consider adoption of the amendments; and

21 **WHEREAS,** the Palm Beach County Board of County Commissioners
22 has determined that the amendments comply with all requirements of
23 the Local Government Comprehensive Planning and Land Development
24 Regulations Act.

25 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
26 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

27 **Part I. Amendments to the 1989 Comprehensive Plan**

28 Text Amendments based on the findings of the 1996 Palm Beach
29 County Comprehensive Plan Evaluation and Appraisal Report to the
30 following Elements of the 1989 Comprehensive Plan are hereby

1 adopted and are attached to this Ordinance as the following
2 Exhibits:

3 A. Health and Human Services Element, EAR Based Revisions,
4 Additions, and Deletions.

5 B. Capital Improvement Element, EAR Based Revisions,
6 Additions, and Deletions.

7 Part II. Repeal of Laws in Conflict

8 All local laws and ordinances applying to the unincorporated
9 area of Palm Beach County in conflict with any provision of this
10 ordinance are hereby repealed to the extent of such conflict.

11 Part III. Severability

12 If any section, paragraph, sentence, clause, phrase, or word
13 of this Ordinance is for any reason held by the Court to be
14 unconstitutional, inoperative or void, such holding shall not
15 affect the remainder of this Ordinance.

16 Part IV. Inclusion in the 1989 Comprehensive Plan

17 The provision of this Ordinance shall become and be made a
18 part of the 1989 Palm Beach County Comprehensive Plan. The
19 Sections of the Ordinance may be renumbered or relettered to
20 accomplish such, and the word "ordinance" may be changed to
21 "section," "article," or any other appropriate word.

22 Part V. Effective Date

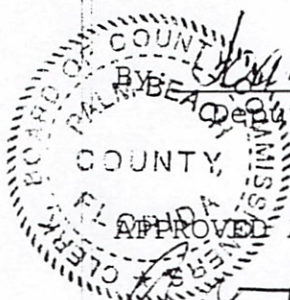
23 The effective date of this plan amendment shall be the date a
24 final order is issued by the Department of Community Affairs or
25 Administration Commission finding the amendment in compliance in
26 accordance with Section 163.3184, Florida Statutes, whichever
27 occurs earlier. No development orders, development permits, or
28 land uses dependent on this amendment may be issued or commence
29 before it has become effective. If a final order of noncompliance
30 is issued by the Administration Commission, this amendment may

1 nevertheless be made effective by adoption of a resolution
2 affirming its effective status, a copy of which resolutions shall
3 be sent to the Department of Community Affairs, Bureau of Local
4 Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.

5 **APPROVED AND ADOPTED** by the Board of County Commissioners of
6 Palm Beach County, on the 22 day of September, 1997.

7 ATTEST:
8 DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS



9 [Signature]
10 Deputy Clerk

By [Signature]
Chair

11 APPROVED AS TO FORM AND LEGAL SUFFICIENCY
12 [Signature]
13 COUNTY ATTORNEY

14 Filed with the Department of State on the 29 day
15 of September, 1997.

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